

Controversy over Najib launching special court

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By V Anbalagan

As PM is an active litigant, he should not have launched special court for sexual crimes, say lawyers, who say Chief Justice Raus Sharif should have instead.

PETALING JAYA: Public confidence in the Malaysian judiciary will erode if court administrators invite those engaged in lawsuits to officiate events in their premises, lawyers said.

They said the judiciary should also be mindful of the public perception generated by inviting Prime Minister Najib Razak and his wife Rosmah Mansor “under present circumstances”.

The lawyers said it would have been more appropriate for Chief Justice Raus Sharif to have launched the special court to deal with sexual crimes against children as he was the head of the judiciary.

Lawyer Mohamed Haniff Khatri Abdulla said Najib was an active litigant as plaintiff, having filed five defamation suits revolving around the 1Malaysia Development Berhad (1MDB) saga and the allegation that RM2.6 billion had been channeled into his personal bank accounts.

Rosmah meanwhile had joined Najib in one of the suits to sue Pandan MP Rafizi Ramli and portal owner Chan Chee Keong over oil subsidies.

He said Najib had also been dragged to court as a substantive defendant to face seven cases of public interest litigation.

“The judiciary is rendering itself impotent if it is seen as allowing the head of the Executive, who is an active litigant, to participate even in minor events,” he said.

The lawyer was commenting on Najib launching the special court in Putrajaya yesterday, just two months after a law enabling its establishment was passed by Parliament.

The court is the first of its kind to be set up in Southeast Asia.

Najib also inspected the witness room, specially designed by those from Permata, an early childhood education programme whose patron is Rosmah.

Haniff said the courts must at all times uphold the doctrine of separation of powers and independence of the judiciary.

He said Najib and Rosmah were invited because the money to set up the court came from the executive arm of the government.

“But the bottom line is that this money comes from taxpayers,” he added.

Lawyer M Visvanathan said on any other day it would not be an issue to have invited the prime minister to officiate an event in the court but it should have been avoided under “present circumstances”.

“The vibes generated from the public are not good for the judiciary and it raises more questions,” he said.

He said public confidence in the judiciary was of paramount importance as the courts must be seen to carry out their judicial functions without fear or favour.

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